

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

Google, Inc.

Plaintiff

v.

Jim Hood, Attorney General of the
State of Mississippi, in his official
capacity

Defendant

No. 3:14-cv-981-HTW-LRA

**ATTORNEY GENERAL JIM HOOD'S MEMORANDUM IN SUPPORT OF MOTION
FOR LEAVE TO EXCEED PAGE LIMITATION AS TO MEMORANDUM IN
SUPPORT OF MOTION TO DISMISS COMPLAINT BASED ON
JURISDICTION AND OTHER GROUNDS**

Jim Hood Attorney General for the State of Mississippi in his official capacity (hereafter the "Attorney General" or "General Hood"), files this memorandum in support of motion for leave to exceed the page limitation regarding his primary memorandum in support of his motion to dismiss complaint based on lack of subject matter jurisdiction and other grounds. L.U.Civ.R. 7(b)(5) provides that movant's original memorandum and rebuttal memorandum briefs together may not exceed a total of thirty-five (35) pages. The Attorney General's memorandum in support of his motion to dismiss is forty (40) pages, exclusive of signature and certificate of services pages.

The Plaintiff, Google, Inc. ("Google"), has filed this declaratory action seeking to enjoin the Attorney General, a state constitutional officer, from continuing his investigation into whether Google has violated the Mississippi Consumer Protection

Act, Miss. Code Ann. § 75-24-1, *et seq.* Google further seeks an injunction prohibiting the Attorney General from instituting civil litigation and/or bringing criminal charges against it stemming from his investigation and the issuance of an Administrative Subpoena and Subpoena Duces Tecum. The issues involved in this lawsuit implicate important questions of federalism involving the balance of state and federal interests and the right of the Attorney General to enforce Mississippi's consumer protection laws. The Attorney General has set forth a number of issues in his supporting memorandum regarding this Court's subject matter jurisdiction to entertain this suit.

Given to the nature of the allegations raised by Google and the jurisdictional issues presented, there was considerable legal ground to cover in the Attorney General's memorandum. Therefore, the Attorney General respectfully requests that the memorandum of in support of his motion to dismiss the complaint based on jurisdiction and other grounds be accepted by the Court in full. Permitting the Attorney General to exceed the page limitations will not prejudice. The Attorney General also requests he be permitted to file a reply brief in excess of the page limitation limited to ten (10) additional pages.

This the 12th day of January, 2015.

Respectfully Submitted,

JIM HOOD, ATTORNEY GENERAL FOR THE
STATE OF MISSISSIPPI, in his official capacity

By: JIM HOOD, ATTORNEY GENERAL FOR THE
STATE OF MISSISSIPPI

By: /s/ Douglas T. Miracle
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CERTIFICATE OF SERVICE

I, Douglas T. Miracle, Special Assistant Attorney General for the State of Mississippi, do hereby certify that on this date I electronically filed the foregoing document with the Clerk of this Court using the ECF system and sent a true and correct copy to counsel of record:

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This the 12th day of January, 2015.

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